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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/896,503

06/29/2001

Lawrence J. Ronk

TI-30890

9240

23494

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05/17/2006

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EXAMINER

PATEL, KANJIBHAI B

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/896,503	Applicant(s) RONK ET AL.	
	Examiner Kanji Patel	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the appeal brief filed on 2/9/06, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102 (b) as being anticipated by Tsuchikawa et al. (US 5,748,775).

For claim 1, Tsuchikawa et al. discloses a method of video object feature data generation (at least Figures 3-4, 6-7), comprising:

(a) extracting a first set of features (block 100 in Figures 3-4 stores captured image feature parameters, such as intensity values; 130 in Figure 6; column 5, lines 7-10) from a moving object detected (moving object extraction means 500 detects the object 520) in a sequence of images (column 5, lines 5-7; camera 001 is used to obtain a sequence of images as shown in at least Figure 3-4);

(b) extracting a sequences of grid blocks corresponding to motion of said object in said sequence of images (column 5, lines 18-52; moving object regain 120 is divided into a plurality of sub-regions a1, a2, a3, a4....ak representing a sequence of grid blocks as shown at least in Figures 4 and 6-7);

(c) storing said first set of features and said sequence of said grid blocks (column 5, lines 5-10; frame image memories 101, 102, etc. are used for storing feature

parameters and grid blocks; see 100 in Figures 3-4 and 130 in Figure 6 providing storage).

For claim 2, Tsuchikawa et al. discloses the method, wherein:

(a) said extracting of step 9a) includes extracting features in every image in said sequence containing said object (column 7, lines 40-45; a sequential repetition for entered input images provides feature extraction for every image).

For claim 3, Tsuchikawa et al. discloses the method, further comprising:

(a) for each of said grid blocks of step (b) extracting features and associating said grid-block extracted features with said grid block sequence (column 5, lines 5-62).

For claim 4, Tsuchikawa et al. disclose the method, wherein:

(a) said first set of extracted features of step (a) includes a color histogram (column 7, lines 46-59; 263 and 264 in Figure 7 provide color histogram).

Allowable Subject Matter

3. The following is a statement of reasons for the indication of allowable subject matter:

Claims 5-7 are allowed.

For claim 5, prior art on record fails to teach or suggest, alone or in combination, a method of searching for a video object, comprising, among other things, ranking said feature vectors of said database according to the results of step c and finding video objects by an association of video objects with said feature vectors of said database together with the results of step d.

Other prior cited

Art Unit: 2624

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim et al. (US 6,289,110 B1) disclose an object extracting method using motion picture.

Tsougarakis et al. (US 6,901,110 B1) disclose systems and methods for tracking objects in video sequences.

Lo et al. (US 5,109,435) disclose a segmentation method for use against moving objects.

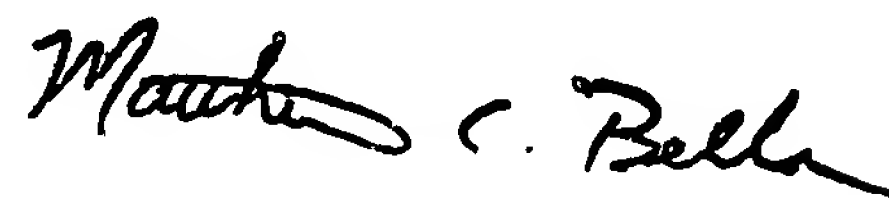
Brumitt (US 6,658,136 B1) disclose a system and process for locating and tracking a person or object in a scene using a series of range images.

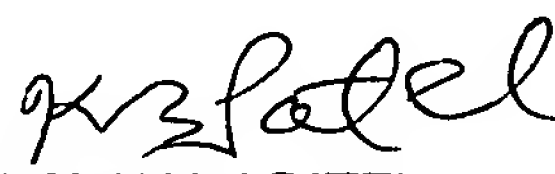
Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kanji Patel whose telephone number is (571) 272-7454. The examiner can normally be reached on Monday to Friday from 7:30 a.m. to 5:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bella, Matthew can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kanji Patel
Art Unit 2624
5/13/06


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